

**DECLARATION AND POWER OF ATTORNEY**

(Case No. 94,1235)

As a below-named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to my name.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHODS AND MATERIALS FOR DESTABILIZING VIRAL  
QUASI-SPECIES-DISTRIBUTIONS WITHOUT PROVOKING  
RESISTANCE TO THERAPEUTIC AGENTS**

the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

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**FOREIGN APPLICATION:** P 42 22 289.3 (Germany) filed 7 July 1992

**INTERNATIONAL APPLICATION:** PCT/EP93/01711 filed 2 July 1993

The undersigned hereby appoints the following:

George B. Newitt	Reg. No. 16550	Robert H. Resis	Reg. No. 32168
D. Dennis Allegretti	Reg. No. 17374	Grantland G. Drutchas	Reg. No. 32565
Sheldon W. Witcoff	Reg. No. 17399	James C. Gumina	Reg. No. 32898
Seymour Rothstein	Reg. No. 19369	Christopher J. Renk	Reg. No. 33761
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Michael H. Shanahan	Reg. No. 24438	Kevin E. Noonan	Reg. No. 35303
Dale A. Malone	Reg. No. 32155	W. Dennis Drekhoff	Reg. No. 27193

as our Attorneys and

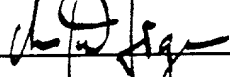
Mark Chao	Reg. No. 37293
Emily Miao	Reg. No. 35285

as our Registered Patent Agents

the mailing address and telephone number of each of whom is BANNER & ALLEGRETTI, LTD., Ten South Wacker Drive, Chicago, Illinois 60606, and (312) 715-1000, with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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Full name of first joint inventor: Manfred Eigen

Inventor's signature  Date January 29<sup>th</sup> 1996

Residence: Georg-Dehio-Weg 14, D-37075 Göttingen, Germany  
Citizenship: Germany  
Post Office Address: Georg-Dehio-Weg 14, D-37075 Göttingen, Germany

Full name of second joint inventor: Andreas Schwienhorst

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Weender Landstraße 68, D-37075 Göttingen, Germany  
Citizenship: Germany  
Post Office Address: Weender Landstraße 68, D-37075 Göttingen, Germany

Full name of third joint inventor: Christof Biebricher

Inventor's signature  Date JAN. 30, 1996

Residence: Bergstr. 10, D-37139 Adellebsen, Germany  
Citizenship: Germany  
Post Office Address: Bergstr. 10, D-37139 Adellebsen, Germany

Full name of fourth joint inventor: Björn Lindemann

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Merkelstraße 3A, D-37085, Göttingen, Germany  
Citizenship: Germany  
Post Office Address: Merkelstraße 3A, D-37085, Göttingen, Germany

Full name of fifth joint inventor: Esteban Domingo

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: C. Cerro de San Pedro, 67, E-28770 Colmenar Viejo, Spain  
Citizenship: Spain  
Post Office Address: C. Cerro de San Pedro, 67, E-28770 Colmenar Viejo, Spain

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Page 4

Full name of sixth joint inventor: John Holland

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 918 Santa Florencia, Solana Beach, California 92075  
Citizenship: U.S.A.  
Post Office Address: 918 Santa Florencia, Solana Beach, California 92075

Full name of seventh joint inventor: Karsten Henco

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Kirchberg 4, D-40699, Erkrath, Germany.  
Citizenship: Germany  
Post Office Address: Kirchberg 4, D-40699, Erkrath, Germany

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Mark Chao	Reg. No. 37293
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Post Office Address: Georg-Dehio-Weg 14, D-37075 Göttingen, Germany

Full name of second joint inventor: Andreas Schwienhorst

Inventor's signature *Andreas Schwienhorst* Date 01/26/1996

Residence: Weender Landstraße 68, D-37075 Göttingen, Germany  
Citizenship: Germany  
Post Office Address: Weender Landstraße 68, D-37075 Göttingen, Germany

Full name of third joint inventor: Christof Biebricher

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Bergstr. 10, D-37139 Adellebsen, Germany  
Citizenship: Germany  
Post Office Address: Bergstr. 10, D-37139 Adellebsen, Germany

Full name of fourth joint inventor: Björn Lindemann

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Merkelstraße 3A, D-37085, Göttingen, Germany  
Citizenship: Germany  
Post Office Address: Merkelstraße 3A, D-37085, Göttingen, Germany

Full name of fifth joint inventor: Esteban Domingo

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: C. Cerro de San Pedro, 67, E-28770 Colmenar Viejo, Spain  
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Full name of sixth joint inventor: John Holland

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 918 Santa Florencia, Solana Beach, California 92075  
Citizenship: U.S.A.  
Post Office Address: 918 Santa Florencia, Solana Beach, California 92075

Full name of seventh joint inventor: Karsten Henco

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Kirchberg 4, D-40699, Erkrath, Germany.  
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as our Attorneys and

Mark Chao	Reg. No. 37293
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as our Registered Patent Agents

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Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Georg-Dehio-Weg 14, D-37075 Göttingen, Germany  
Citizenship: Germany  
Post Office Address: Georg-Dehio-Weg 14, D-37075 Göttingen, Germany

Full name of second joint inventor: Andreas Schwienhorst

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Weender Landstraße 68, D-37075 Göttingen, Germany  
Citizenship: Germany  
Post Office Address: Weender Landstraße 68, D-37075 Göttingen, Germany

Full name of third joint inventor: Christof Biebricher

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: Bergstr. 10, D-37139 Adellebsen, Germany  
Citizenship: Germany  
Post Office Address: Bergstr. 10, D-37139 Adellebsen, Germany

Full name of fourth joint inventor: Björn Lindemann

Inventor's signature B. Lindemann Date 1-24-96

Residence: ~~Merkelstraße 3A, D-37085, Göttingen, Germany~~  
Citizenship: ~~Germany~~  
Post Office Address: ~~Merkelstraße 3A, D-37085, Göttingen, Germany~~

Full name of fifth joint inventor: Esteban Domingo

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

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Björn Lindemann; Residence: Tannenhof 115B, D-22397, Hamburg, Germany  
Citizenship: Germany  
Post Office Address: Tannenhof 115B, D-22397 Hamburg, Germany

B. Lindemann

Full name of sixth joint inventor: John Holland

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: 918 Santa Florencia, Solana Beach, California 92075  
Citizenship: U.S.A.  
Post Office Address: 918 Santa Florencia, Solana Beach, California 92075

Full name of seventh joint inventor: Karsten Henco

Inventor's signature *K. Henco* \_\_\_\_\_ Date *Jan. 1, 1996* \_\_\_\_\_

Residence: Kirchberg 4, D-40699, Erkrath, Germany.  
Citizenship: Germany  
Post Office Address: Kirchberg 4, D-40699, Erkrath, Germany

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Full name of fourth joint inventor: Björn Lindemann

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

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Full name of fifth joint inventor: Esteban Domingo

Inventor's signature  Date 1/30/96

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Post Office Address: 918 Santa Florencia, Solana Beach, California 92075

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Edward A. Remus	Reg. No. 25703	Richard A. Clegg	Reg. No. 33485
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as our Attorneys and

Mark Chao	Reg. No. 37293
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as our Registered Patent Agents

the mailing address and telephone number of each of whom is BANNER & ALLEGRETTI, LTD., Ten South Wacker Drive, Chicago, Illinois 60606, and (312) 715-1000, with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MANFRED EIGEN ET AL.  
SERIAL NO.: 08/362,604 EXAMINER: B. SISSON  
FILED: March 22, 1996 GROUP: 1634  
TITLE: PROCESS AND AGENT FOR INSTABILIZING VIRAL  
QUASI-SPECIES-DISTRIBUTIONS AVOIDING  
RESISTANCE PHENOMENA

REVOCATION AND APPOINTMENT IN PATENT APPLICATION  
POWER OF ATTORNEY

Hon. Asst. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned, EVOTEC BIOSYSTEMS AG, owner of the entire right, title, and interest in and to the above-captioned patent application, hereby revokes all former Powers of Attorney and appoints COLLARD & ROE, P.C., a firm composed of ALLISON C. COLLARD, Registration No. 22,532; EDWARD R. FREEDMAN, Registration No. 26,048; and ELIZABETH COLLARD RICHTER, Registration No. 35,103, attorneys at law, of 1077 Northern Boulevard, Roslyn, New York 11576 (516) 365-9802, with full power of substitution, association, and revocation, to transact all business in the Patent and Trademark Office and elsewhere in connection therewith.

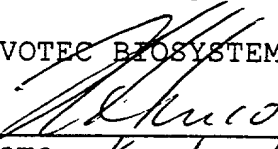
Please direct all future official communications to:

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Respectfully submitted,

EVOTEC BIOSYSTEMS AG

By:

  
Name Karsten Henio  
Title Dr. CEO  
Date April 14, 2000